

ATLANTA DIVISION

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DECLARATION OF RICARDO DAVIS

I am Ricardo Davis, Plaintiff herein, of full age and sound mind and suffering under no condition that would interfere with my truthful testimony herein.

1.

I have been represented in this action by Cary Ichter and understood him to be my attorney of record. I have not had any contact with the other two attorneys who may have listed my name on their notice of appearance.

2.

On December 7, 2023 I received written notice from my counsel Cary Ichter that he expected to have back surgery during the period of time in which this case is scheduled to be tried. A true and correct copy of an email from Mr. Ichter to me is attached hereto as Exhibit "A".

3.

On December 10, 2023, Mr. Ichter confirmed to me verbally that the surgery would likely take place during the trial, and there is a risk he could not appear for part or all of the trial.

4.

I have had no contact with either of the remaining two attorneys who noticed an appearance for me, and I do not believe either one can adequately represent my interests in this action.

5.

I have requested David Oles, Esq., to enter an appearance as one of my co-counsel in the case.

6.

I am giving this declaration in support of my request for this Court to receive the appearance of counsel on my behalf.

7.

I do not request a separate trial in this action, as doing so at this late stage when discovery is already complete would subject me unfairly to enormous cost and expense.

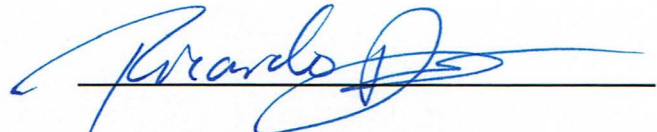
8.

As a plaintiff in this case for over 6 years, I am prepared to be ready for trial on January 9, 2024 as planned without any delays.

9.

In compliance with 28 U.S.C. § 1746 I declare and certify and state under penalty of perjury that the foregoing is true and correct.

Executed on December 13, 2023.



Ricardo Davis

Exhibit A

On Dec 7, 2023, at 22:16, Cary Ichter <Clichter@IchterDavis.com> wrote:

If you want me. Bruce and I have talked about him also making an appearance for all of the individual plaintiffs b/c I may have to have back surgery while the trial is going on. We shall see. But let me know what your wishes—or Plan B on your wishes—are. Cary

Cary Ichter, Partner
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<image001.png><image002.png>

From: Ricardo Davis <ricardodavis@gaconstitutionparty.org>
Sent: Thursday, December 7, 2023 10:13 PM
To: Cary Ichter <Clichter@IchterDavis.com>
Subject: Representation Going Forward?

Good evening Cary,

I have received Judge Totenberg's order regarding denying substitution of counsel.

From your perspective are you still my counsel? If not, then what must be done?

-Ricardo

Ricardo Davis
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